

Official Minutes for Webb County
Commissioners Court Meeting

Monday, August 14, 2006 at 1:00 PM
and continuing Tuesday, August 15, 2006 at 1:00 PM
(APPROVED AUGUST 28, 2006)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County
Commissioners Court was held at 1:00 p.m. at the regular meeting
place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cindy Cortez-Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 11th of August 2006. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk
- Item No. 3 Pledge of Allegiance – Led by All
- Item No. 4 Approval of minutes – July 10, 2006 and July 24, 2006

Cmr. Gutierrez motioned to approve the minutes for July 10, 2006 and July 24, 2006. Cmr. Sciaraffa seconded the motion.

Motion for approval of July 10, 2006 minutes carried by 3-2 with Judge Bruni and Cmr. Garza voting against.

Motion for approval of July 24, 2006 minutes carried 5-0 by unanimous consent.

Item No. 5 Approval of bills, payroll and monthly reports

Mr. Leo Flores, County Auditor was present to address the Court. He stated that there was only 2 months left in the fiscal year. He stated that pg 24 of his report showed that tax collections were at \$1.1 million dollars over budgeted in sales tax revenues. He stated that pg 25 explained that Revenue collections were at 89% and Expenditure collections were at a 75%. He mentioned that there was only a 14% difference between Revenues and Expenditures.

Cmr. Gutierrez stated that she was concerned with those departments which were below revenue collections. She mentioned that she would like to see the proposed budget for next year for these departments. Mr. Flores explained that in the past years Pre-Trial Services Dept. has generated revenue for more than \$150,000, however, this year something is wrong. Cmr. Gutierrez stated that those Department Heads and Elected Officials who are close to there projected revenues will make them up, however, those below 50% should come and address the Court.

Judge Bruni motioned to approve the bills, payroll, and monthly reports. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6 Communications

Judge Bruni stated that he was thrilled to have been invited to the Laredo Little Theater for "The Shadowbox". He mentioned that he was impressed to see that there was a lot of local talent. He stated that among the many participating there was a young lady by the name of Valerie Cortinas. He stated that the play focused on the different phases that we go through when dealing with death. Cmr. Gutierrez mentioned that Ms. Valerie Cortinas is the daughter of Ms. Nelda Cortinas who is employed at the Mirando Community Center. Judge Bruni also mentioned that there would be a Webb County Blood Drive on August 18, 2006 @ the Administration Bldg Conf. Room 1A.

Cmr. Sciaraffa thanked Laredo Bail Bond Association and Newly Elected Justice of the Peace Ramiro Veliz for the Free Back to School Haircut for all the kids in Pct. 1.

Cmr. Gutierrez invited the public for next Saturday, August, 11, 2006 at the Larga Vista Library located at 5401 Cisneros Drive @ Colonia Larga Vista where they will be holding a formal Grand Opening at 11 a.m. Henry Cuellar will be the guest speaker. She also mentioned that the library will provide library and computer equipment for the area residents.

Cmr. Garza stated that hopefully the City of Laredo will be approving land lease for the Buenos Aires Community Center at their City Council meeting being held on August 14, 2006. He stated that this center services from 20-25 elderly people and that he could see the excitement in their faces when they hear about the new proposed center. He hopes that once approval, construction can begin and that the center can open by early next year.

Cmr. Cortez urges everyone to drive safely since the new school year is starting again.

Item No. 7 Public Comment

No public comments.

Item No. 8 Presentation by Mr. Daniel Castillon, Border Region MHMR, and Dr. Jose G. Garcia, Texas Department of State Health Services, San Antonio State Hospital/Casa Amistad, regarding mental health support for Webb County and the Webb County Jail; required local funds match; status of the local psychiatric hospital; and, any other matters incident thereto.

There was a presentation done by Mr. Daniel Castillon, Border Region MHMR and Dr. José G. Garcia, Texas Department of State Health Services, San Antonio State Hospital/Casa Amistad. After power point presentation, Mr. Castillon mentioned that by contract and State Law they are required to

request funds to support the Center. Therefore, he was asking Webb County for a local match of \$250,059.00. He stated that Webb County has the biggest challenge but lacks doctors. Cmr. Gutierrez mentioned that she serves on the Board of Trustees and is very proud of the services provided. She stated that it was not fair for the burden to fall on local governments when the transition occurred in 2000. Mr. Castillon mentioned that the state continues to reduce budget while the services increase. Mr. Castillon thanked the Court for the opportunity given for the presentation and asked them to take into consideration their request for funding. Cmr. Gutierrez mentioned that the state is 50th in the nation in providing services.

Dr. José G. Garcia, Texas Department of State Health Services, San Antonio State Hospital/Casa Amistad clarified to the Court that his role was purely supportive. He provided summary of history of psychiatric hospitals in Laredo to the Court. He submitted to the Court a report of the history of MHMR & patients serviced. Cmr. Gutierrez mentioned that she hopes someday a Children's Psychiatric Unit in Webb County can be built.

Item No. 9 Discussion and possible action to declare Webb County as a disaster area due to losses sustained by Webb County from March 1, 2006 to the present, because of drought, high winds, and excessive temperatures, and in order to apply for assistance from FSA Emergency Conservation Program; FSA Livestock Feed Program; Livestock Assistance Program; and, FSA Emergency Loans (depending on availability of funds), authorizing the County Judge to sign any relevant documentation, and any other matter(s) incident thereto.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 10 Discussion and possible action to re-appoint Commissioner Judith Gutierrez, and Mr. Roberto Vela to the Border Region MHMR Community Center Board of Trustees, and any other matters incident thereto.

Judge Bruni motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Sciaraffa thanked Mr. Roberto Vela and Cmr. Gutierrez for a job well done. He mentioned that he currently served on Board and believes that both are great assets to the Board.

Item No. 11

Discussion and possible action to award Proposal No. P-2006-23 "Santa Teresita Community Center Hwy. 59" for Commissioner Judith Gutierrez, Pct. 2.

Mr. Eloy Ramirez, Webb County Purchasing Agent stated that he had received one bid from CG Construction on August 11. He stated that the proposal was reviewed this morning.

Cmr. Gutierrez motioned to award CG Construction as designated builder. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

**Addendum
Item No. 1**

Discussion and possible action to authorize the filing of Webb County Application with the Public Utility Commission for 311 telephone service and authorizing the County Judge to sign all relevant documents.

Cmr. Garza motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 12

Discussion and possible action to set a maximum rate for indigent burial services for Webb County, establishing procedures for local funeral homes to participate, and any matter incident thereto and have staff come back to the court with a recommendation.

Cmr. Garza stated that county currently pays different rates for different funeral homes. He stated that if possible to survey area counties on what they are paying for such

services. Cmr. Gutierrez stated that it was better to go out for proposals. Cmr. Garza said that they should be on a rotation schedule similar to county and city towing services. If County sets the price, it is up to funeral home to decide if they wish to participate on a rotation schedule. Mr. Frank Salinas, Indigent Services Director, stated that they do not do any referrals. Referring is done only by Sheriff's Dept., hospitals, and /or Laredo Police Department. Cmr. Gutierrez stated that the rate should be \$800 for adults, and \$400 for toddlers/stillborns. Cmr. Garza stated that if possible to set parameters to implement rotation. Cmr. Gutierrez was told that only one funeral home had a lot of calls, this was due to no others wanted to pick up bodies at rural Webb County areas. Mr. Homero Ramirez, County Attorney, mentioned that he recommended the Court to vote on motion for rates and then go on to further discussion.

Cmr. Garza motioned to approve set rate for funeral homes. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza asked Mr. Frank Salinas if there was a difference on services provided for \$800 to \$1200. Mr. Salinas stated that there was no difference.

Item No. 13 Discussion and Possible Action Authorizing Change Order No. 2 in the amount of \$41,327.67 to CG Construction to their contract for the Fred & Anita Bruni Community Center. This will change the contract price of \$441,836.07 to \$483,163.74.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 14 Discussion and possible action to amend Contract #725891 with the Office of Rural Community Affairs (ORCA) by revising the Performance Statement Exhibit A to include additional sidewalks, one(1) ten thousand (10,000) gallon storage tank and a fire hydrant for the Fred and Anita Bruni Community Center and any matters incident and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent

Mr. Tomas Rodriguez, County Engineer, stated that the funding came from 2006 Bond Series/Economic Development and needed to get contract #725891 amended.

**MEDIA BREAK
(2:33 PM to 2:52 PM)**

Item No. 15 Discussion and possible action to approve the 2006 Certification of the Tax Roll.

Ms. Patricia Barrera, Webb County Tax Assessor, stated that the 2006 Certified Appraisal Roll Values (for the Webb County General Fund and Road & Bridge) are certified as County's Tax Roll.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded motion.

Motion carried 4-0 with Cmr. Sciaraffa not present.

Item No. 16 Discussion and possible action to approve the anticipated collection for 2006 of 100%.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 17 Discussion and possible action to direct the County Auditor and/or County Treasurer to allocate funds in accordance with the provisions of the Collective Bargaining Agreement between the County of Webb and the Webb County Deputies Association.

Mr. Leo Flores, County Auditor, stated that he understands that Sheriff requested that the County Auditor or Treasurer locate funds of \$54,000 for payment of increase of deputies as

per Bargaining Agreement. Mr. Homero Ramirez, County Attorney, stated that this needs to get paid because if not the Court was liable to get suit as it was a salary issue. Judge Bruni stated that he had nothing against the deputies. Cmr. Cortez stated that she feel that Sheriff is just bouncing issue back to the Court. Mr. Homero Ramirez recommended that the Auditor look for funds in the Sheriff's account and other accounts to see where funds are available. Major Anthony Winterroth, Sheriff's Department, stated that agreement was between the Bargaining Unit and the County and not the Sheriff Department. Mr. Flores stated that all he needed was instruction from the Court to proceed. Mr. Ramirez recommended that Mr. Leo Flores, Ms. Delia Perales, and Sheriff get together to look into accounts and prepare line item transfers for next meeting. Cmr. Gutierrez stated to use the payroll savings because the Court needed to comply with contract and avoid a lawsuit. She also stated that the money come from payroll savings in Sheriff's Dept. first and then others. Judge Bruni stated to get money from any other department if necessary then to go into the payroll savings account.

Cmr. Gutierrez motioned to get money from payroll savings in Sheriff's Dept first and then other accounts. Judge Bruni seconded motion.

Motion carried 5-0 by unanimous consent

- Item No. 18 Discussion and possible action to approve line-item transfer within the Webb County Child Welfare Departmental Budget:
From: Acct. # 001-4102
6022-2 Prof. Services/Legal \$802.00
To: Acct. # 001-4102
6011 Training/Ed. \$250.00
7013 Awareness/Activities \$552.00
TOTAL \$802.00
and authorizing the County Judge to sign all relevant documents.
- Item No. 19. Discussion and possible action to approve the Retainer Agreement with Allison, Bass & Associates, L.L.P. for representation in Cause Number GV-403943; Webb County Texas v. Greg Abbott, Attorney General of

the State of Texas, et al. currently pending in the 261st Judicial District Court of Travis County, Texas, and authorizing the County Judge to execute all relevant documents. [Bridge Fund Account No. 715]

- Item No. 20. Discussion and possible action to approve the Retainer Agreement with Allison, Bass & Associates, L.L.P. to represent Webb County against Regional Land Management Services, Ltd., permit application for a New Type Municipal Solid Waste Landfill, and authorizing the County Judge to execute all relevant documents. [General Fund Account No. 001-0109-6022 (Professional Services)]
- Item No. 21. Discussion and possible action to approve the Retainer Agreement with Allison, Bass & Associates, L.L.P. to represent Webb County against Rosalinda Delgado v Webb County, et al. currently pending in Federal District Court and authorizing the County Judge to execute all relevant documents. [General Fund Account No. 001-109-6022 (Professional Services)]
- Item No. 22. Discussion and possible action to enter into Non-Financial Cooperative Agreements for the Head Start Program with the following Agencies, Political Subdivisions, and/or Corporations for a periods from one (1) year to two (2) years:
American Cancer Society (8/1/2006 through 7/31/08)
Border Region MHMR (8/1/2006 – 7/31/2008)
Catholic Social Services (8/1/2006 through 7/31/08)
Gateway Community Health Center, Inc.,
for the “Lado a Lado” Program (8/1/2006 through 7/31/08)
Laredo Children’s Museum (8/1/2006 through 7/31/08)
City of Laredo for the Laredo Public Library (9/1/2006 through 8/31/08)
Attorney General of TX Child Support Enforcement Division
(8/1/06 through 8/31/08) and authorizing the County Judge to execute all relevant documents. [Requested by Head Start]
- Item No. 23. Discussion and possible action to enter into Mental Health Service Agreements for Children enrolled in the Webb County Head Start Program for a period of twenty-four (24) months, beginning August 1, 2006 through July 31, 2008 at reduced fees as set forth in the agreements, with the following Service Providers:
Denise L. Bradley, LPC,
Dr. Timothy Brown, Clinical Psychologist (8/1/06-7/31/07)
Deer Oaks Mental Health Associates

El Puente Counseling Center
Luis E. Flores, M.A., L.P.C., LCDC,
Dr. Daniel Garza, M.D.
Guillermo E. Gonzalez, Jr., Ph.D. Professional Counseling Center

and authorizing an exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents.[Requested by Head Start Acct.# 903-4208-6218 (Medical/Dental Exam)]

- Item No. 24. Discussion and possible action to enter into a twelve month (September 1, 2006 thru September 1, 2007) Annual Maintenance Grant Contract with Office of the Attorney General of Texas (OAG) for Texas VINE grant contract No. 07-03592 for an total over twelve months of THIRTY THOUSAND ONE HUNDRED DOLLARS (\$30,108.00 and authorizing the County Judge to sign all relevant documents. [Requested by Sheriff; Account No. 321-2001-3501 (Texas VINE Revenue)]
- Item No. 25. Discussion and possible action to enter into a ten month (November 1, 2005 thru August 31, 2006) service agreement renewal with Appriss, Inc. for Texas VINE maintenance for a total of TWENTY-ONE THOUSAND FIVE HUNDRED SIXTYSEVEN DOLLARS (\$21,567.00) and authorizing the County Judge to sign all relevant documents. [Requested by Sheriff; Account No. 321-2001-8410 (Equipment)]
- Item No. 26. Discussion and possible action to enter into a twelve month (September 1, 2006 thru September 1, 2007) service agreement renewal with Appriss, Inc. for Texas VINE maintenance for an total of THIRTY THOUSAND ONE HUNDRED EIGHT DOLLARS (\$30,108.00.00) and authorizing the County Judge to sign all relevant documents. [Requested by Sheriff; Account No. 321-2001-8410 (Equipment)]
- Item No. 27. Discussion and possible action to authorize the disbursement of funds from the available Webb County School land fund to the following school district:
Laredo Independent School District \$193,929.49
Mirando City Independent School District \$467.30
United Independent School District \$270,566.68
Webb C.I.S.D \$2,803.80

and authorizing the County Judge to sign all relevant documents.

- Item No. 28. Discussion and possible action to enter into an engineering contract with Foster Engineering to provide for the design and repair of the existing Lake Casa Blanca Dam at a cost not to exceed TWO HUNDRED AND SIXTY THOUSAND SEVEN HUNDRED AND FIFTY-FIVE DOLLARS (\$260,755.00), and authorizing the Webb County Judge to execute all relevant documents. [Requested by County Engineer, Payment from Bond Series 2006].
- Item No. 29. Discussion and possible action to approve an Order acknowledging notice of the City of Laredo's intent to construct water and sewer lines within the County's rights of way and designating the location of water and sewer lines and authorizing the County Judge to execute all relevant documents.
- Item No. 30. Discussion and possible action to accept one (1) right of way, out of Laredo Ranchettes, Inc., Subdivision, one (1) right-of-way out of Pueblo Nuevo Subdivision, one (1) right of way out of Ranchitos IV Los Minerales Subdivision, one (1) right-of-way out of Ranchitos Los Centenarios Subdivision, and authorizing the County Judge to sign all relevant documents.
- Item No. 31. Discussion and possible action to amend the Third Party Funding Agreement with Agape Angels by increasing the contract amount to ONE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$1,250.00) and authorizing the County Judge to execute all relevant documents.
- Item No. 32. Discussion and possible action to enter into a two (2) year Inter-local Agreement with Texas A&M wherein Texas A&M will contribute ONE HUNDRED AND THIRTY FOUR THOUSAND ONE HUNDRED AND TWENTY TWO DOLLARS (\$134,122.00) to Webb County for the construction of a Nutrition and Health Learning Center to be located off Highway 359 in exchange for usage by Texas A&M of 1,212 square feet of the Center over the term of the agreement, and authorizing the Webb County Judge to execute all relevant documents. [Requested by Webb County Commissioner Precinct 2, Hon. Judith Gutierrez]
- Item No. 33. Discussion and possible action to approve Addendum I to Professional License Agreement with Professional Computer Software Services, Inc., for the District Clerk office in order to upgrade its Jury Management System at a cost of TWENTY NINE THOUSAND EIGHT

HUNDRED AND TWENTY DOLLARS (\$29,820.00), and authorizing the County Judge to execute all relevant documents. [Requested by Webb County District Clerk, Account No. 660-7111-8801 Capital Outlay for Central Jury Room]

- Item No. 34. Discussion and possible action to enter into a computer software support services agreement (real estate, personal property, tax administration, billing, collection and distribution system application software support services, stand alone Internet credit card system and Tax Website with credit card collection) with Easy Access Inc., for the Tax Assessor Collector's AS400 computer for a twelve (12) month period beginning September 9, 2006, and renewable for one additional twelve (12) month period beginning upon acceptance of an annual agreement at a cost of TEN THOUSAND EIGHT HUNDRED AND SEVENTEEN DOLLARS (\$10,817.00), and authorizing the County Judge to execute all relevant document [Requested by Tax Assessor/Collector; Account No. 001-0700-6402 Repairs & Maintenance Eq.]

Judge Bruni motioned to approve items 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 3-2 with Judge Bruni and Cmr. Cortez voting against Item No. 20.

Motion carried 5-0 by unanimous consent on all other items.

- Item No. 35. Discussion and Possible action to accept Tobacco Grant Acceptance Agreement and Compliance Standards in the amount of \$7,000.00 (Seven Thousand Dollars and no cents) for the period of September 01, 2006 thru August 31, 2007 and authorizing the County Judge to act as the County's authorized official. This grant requires no match and thus is at no cost to the County.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion. Motion carried 5-0 by unanimous consent.

- Item No. 28. Discussion and possible action to enter into an engineering contract with Foster Engineering to provide for the design and repair of the

existing Lake Casa Blanca Dam at a cost not to exceed TWO HUNDRED AND SIXTY THOUSAND SEVEN HUNDRED AND FIFTY-FIVE DOLLARS (\$260,755.00), and authorizing the Webb County Judge to execute all relevant documents. [Requested by County Engineer, Payment from Bond Series 2006].

Judge Bruni took Item No. 28 for comments. Judge Bruni stated that he had full faith and confidence in Mr. Foster. Cmr. Gutierrez thanked Mr. Foster for a job well done and time spent.

Addendum
Item No. 2

Discussion and possible action to approve the following line-item transfers within the County Attorney Department Budget.

From: Acct# 001-1101-5001 Payroll \$15,000.00

To: Acct # 001-1101

5002 Incentive Pay	\$	5000.00
002 Postage	\$	500.00
6007 Dues/Memberships	\$	400.00
6010 Books/Subs	\$	1800.00
6011 Training/ED	\$	4600.00
6204 Fuel/Lube	\$	1500.00
6402 Repairs/Maint.Equip.	\$	700.00
6014 Equip. Rental	\$	500.00

and authorizing the County Judge to sign all relevant documents.

Judge Bruni motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 36. Discussion and possible action to authorize payment of invoice # 71583 in the amount of \$211.70 payable to A&S Electric Service for emergency repair of an alternator.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 37. Discussion and possible action to accept a CSBG Performance Award of \$2,065 presented to WCCAA in recognition of assisting individuals to transition out of poverty and maintaining an effective Case Management system.

Cmr. Sciaraffa motioned to approve item as submitted. Cr. Gutierrez seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 38. Discussion and possible action to accept the second installment of funding from CPL Retail Energy's Neighbor to Neighbor Program for PY-2006 in the amount of \$32,699.18. Webb County Community Action Agency will utilize these funds to help families that are in financial distress to meet energy related cost essential to their health and welfare.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 39. Discussion and possible action to grant authorization to the County Auditor to expend funds from the Meals On Wheels Program (MOW) and the Elderly Nutrition Program (ENP), effective October 1, 2006, pending the receipt of all required grant documents.

Cmr. Sciaraffa motioned to approve item as submitted. Cr. Gutierrez seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 40. Discussion and possible action to approve the submission of an application to the Texas Department of Aging and Disability Services for the delivery of meals to homebound clients (Meals on Wheels). [Funds are to come from account # 952-4216-5001. No impact to the General Fund.]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 41. Discussion and possible action to authorize filling slot #1217 Food Service Worker at a wage rate of \$8.25, no benefits. Slot# 1221 Food Service Worker at a wage rate of \$8.25, no benefits. Slot # 2209 Food Service Worker at a wage rate of \$8.25, no benefits. [Funds are to come from account # 952-4216-5001. No impact to the General Fund.]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 42. Discussion and possible action to grant authorization to the County Auditor to expend funds from the WCCAA Rural Transportation Program (El Aguila), effective September 1, 2006, pending the receipt of all required grant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 43. Discussion and possible action to accept the second installment of funding from Reliant Energy Retail Services, LLC CARE Program in the amount of \$12,000.00. The Webb County Community Action Agency will utilize these funds to help families that are in financial distress to meet energy related cost essential to their health and welfare term beginning August 31, 2006 and ending on December 31, 2006 and authorizing the County Judge to execute all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 44. Discussion and possible action to approve payment by Webb County Community Action Agency of 424.35 incurred late fees from October 27, 2005 through August 1, 2006. [Funds are to come from Acct #001-0112-7200-08]

Comr. Gutierrez motioned to approve item as submitted. Comr. Garza seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 45. Discussion and possible action to accept a grant from the Texas Forest Service in the amount of One Hundred Eight Thousand Dollars (\$108,000.000 for the purchase of a large brush truck for the Webb County Fire Service and to authorize the purchasing agent to purchase the vehicle. County cash match of \$13,364.00 is to be taken from account# 62703003601, Interest Income from Bond Series 2001.

Comr. Gutierrez motioned to approve item as submitted. Comr. Sciaraffa seconded motion.

Motion carried 5-0 by unanimous consent.

Comr. Gutierrez stated that truck will be used in fire station near Oilton.

- Item No. 46. Discussion and Possible Action Authorizing Amendment No. 1 to Puig Engineering in the amount of \$16,000.00 for "Additional Services" to design a road 30 foot wide and 4,000 foot in length on the west side of Old Milwaukee East and part on the Eloy Garcia tract for the paving project of Old Milwaukee East funded by TXDOT Border Colonias Access Program.

Comr. Gutierrez motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 47. Discussion and Possible Action Authorizing the Utilities Department to increase the water and sewer rates effective October 1, 2006 and to conduct Public Hearings on August 24, 2006, at El Cenizo and August 25, 2006, at Rio Bravo, for the proposed water and sewer rates (Existing and Proposed Rates attached).

Comr. Sciaraffa motioned to table item. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 48. Discussion and Possible Action Authorizing the Road & Bridge Department to loan the "Wood Chipper" to the Golf Course to enable them to produce wood chips from the trees they have cut and to install the chips on the dry areas of the golf course.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded motion. Truck to be housed at the Oilton Community Center.

Motion carried 5-0 by unanimous consent.

Item No. 49. Discussion and Possible Action Authorizing to the Utilities Department to fill Slot # 1531, Head Cashier, at a salary of \$13.08 per hour.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded motion.

Motion carried 5-0 by unanimous consent.

Item No. 48. Discussion and Possible Action Authorizing the Road & Bridge Department to loan the "Wood Chipper" to the Golf Course to enable them to produce wood chips from the trees they have cut and to install the chips on the dry areas of the golf course.

Cmr. Garza requested to take up Item No. 48. Mr. Tomas Rodriguez, County Engineer, stated that since drought conditions, several trees have dried so they want to place wood chips on dry areas by airport.

Cmr. Garza motioned that authorization include repairs and replacement of "Wood Chipper" by Mr. Balt Ramos. Judge Bruni seconded the motion and stated that machine should be inspected before and after delivery.

Motion carried 5-0 by unanimous consent.

Item No. 50. Discussion and possible action to order a General Election be held on the 7th day of November, 2006, for the purpose of electing county and precinct officers as required by Article XVI, Section 65 of the Texas Constitution.

- Item No. 51. Discussion and possible action to approve a Resolution and Order authorizing and establishing the main and temporary branch early voting polling sites for the November 7, 2006 General Election within Webb County, Texas, pursuant to Chapter 85, Texas Election Code.
- Item No. 52. Discussion and possible action to approve a Resolution and Order authorizing and establishing election day polling places for the November 7, 2006 General Election within Webb County, Texas, in accordance with Chapter 43, Texas Election Code.
- Item No. 53. Discussion and possible action to approve a Resolution and Order authorizing and establishing the salaries for presiding judges and clerks and establishing the maximum number of election day clerks for each election precinct pursuant to Sections 32.091(a), and 32.033, Texas Election Code, for the November 7, 2006 General Election.
- Item No. 54. Discussion and possible action to approve a Resolution and Order authorizing and establishing a central counting station, appointing the central counting station manager, tabulation supervisor, assistant tabulation supervisors, presiding judge, and establishing their respective salaries for the November 7, 2006 General Election pursuant to Section 127, Texas Election Code.
- Item No. 55. Discussion and possible action to approve a Resolution and Order authorizing Joint Elections between the County of Webb, the City of Laredo, and the City of El Cenizo to be conducted on November 7, 2006 and authorize the Webb County Elections Administrator to prepare elections services contracts for the conduct and supervision of said elections pursuant to Chapter 271, Texas Election Code.

Comr. Garza motioned approval of Items No. 50,51,52,53,54, and 55 as submitted. Comr. Cortez seconded motion.

Motion carried 5-0 by unanimous consent.

Comr. Gutierrez asked Mr. Oscar Villarreal, Elections Administrator, if for November elections all precincts were consolidated. Mr. Villarreal answered no and Quad Cities will

have Early Voting on Saturday and Sunday and both sites on Election Day.

- Item No. 56. Discussion and possible action to approve the following line item transfers:
From: Payroll account 001-0106-5001 \$ 7,000.00
Payroll account 001-6002-5001 \$ 1,500.00
Repairs & Maintenance of Equipment 001-0106-6402 \$ 6,000.00
Uniforms 001-0106-6202 \$ 1,500.00
Total \$16,000.00
To: Repairs & Maintenance of Buildings 001-0106-6401 \$16,000.00
Total \$16,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 57. Discussion and possible action to fill slot #1891, (Front Desk Coordinator) from within the county starting at \$8.25 and up to \$ 9.47 per hour depending on experience effective August 14, 2006.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 58. Discussion and possible action to approve the upgrade of the existing McAfee license software in the amount of \$16,056.00 from fund #657 interest income series 2003.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza asked Mr. Eddie Flores, MIS Interim Director, if there was to be a SPAM killer for all computers and he stated yes.

- Item No. 59. Discussion and possible action to issue a "Certificate of No Plat Required" to Lot 1, Block 1, Warren Transport Subdivision as approved

by the City of Laredo Planning and Zoning Commission on July 20, 2006; pursuant to the exemption provisions of Section XVI.1B (2) of the Webb County Subdivision Regulations and Section 232.0015(f) of the Texas Local Government Code, and authorizing the County Judge to sign all relevant documents.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded motion.

Motion carried 5-0 by unanimous consent.

Item No. 60. Discussion and possible action to fill one vacant assistant defender slot #2087 with a yearly salary of \$64,179.00.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded motion.

Motion carried 5-0 by unanimous consent.

Item No. 61. Discussion and possible action to authorize the Purchasing Agent to obtain the professional services of Carrillo & Associates, Inc. in the amount of \$5,125.00 for the soil testing at Colonia Old Milwaukee center road and east road. Acct. 705- 8001-6022-14; Balance: \$5,200.00.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded motion.

Motion carried 5-0 by unanimous consent.

Item No .62. Discussion and possible action to authorize the Purchasing Agent to obtain the geotechnical engineering services of Drash Consulting Engineers, Inc. in the amount of \$6,000.00 for the Rancho Penitas West Roadway Improvements. Acct. 705-8001-6022-14; Balance: \$5,200.00.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 63. Discussion and possible action to authorize the Purchasing Agent to renew the Annual Contract for Flexible Base with El Tajo Ranch Caliche Pit for the Road and Bridge Department. Price per cubic yard picked up by Webb County \$1.45

Mr. Eloy Ramirez, Webb County Purchasing Agent, stated that he only had one price and that he will receive more as the year goes on. Cmr. Gutierrez asked if the price was standard. Mr. Ramirez stated that as per Road & Bridge Supervisor it was a very good price. Judge Bruni stated that it was a very good price and that some prices can exceed \$2.50 per cubic yard.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 64. Discussion and possible action to obtain the services of Surplus Buyers in the amount of \$2,295.00 to dispose of surplus property pursuant to Chapter D Disposition of Salvage or Surplus Property, §263.15

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 65. Discussion and possible action to purchase one (1) 416 Back Hoe with a quick coupler, a 24 inch bucket, a 12 inch bucket, and a lines kit with Extended Warranty TOTAL PLUS 5YR-7500 hrs from HOLT through the Buy Board contract number 205-04 in the amount of \$61,623.00 ACCT. NO. 503-6501-8801; BALANCE:\$62,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 66. Discussion and possible action to authorize the Purchasing Agent to solicit Request for Proposals for Online E-Payment of Justice of the Peace Traffic Citations for the MIS department.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza stated that he would like to thank everyone for the approval. He stated that this came before as a test pilot for Justice of the Peace #4. He stated that the outcome was great and very convenient for the residents. It also helped JP alleviate traffic in the Courts. He stated that he hoped other JPs will implement the program.

Item No. 67. Discussion and possible action to approve the following Annual Contracts for 2006-2007:

Bid 2007-01	Fuel	Oil Patch Petroleum Item No. 1,2,3 Arguindegui Oil Item No. 4 & 5
Bid 2007-02	Lubricants	Arguindegui Oil
Bid 2007-07	Heavy Equipment	HOLT CAT PRIMARY RDO Equipment SECONDARY
Bid 2007-10	Milk & Orange Juice	Hygeia Dairy
Bid 2007-12	Bread	Flowers Baking Co.
Bid 2007-15	Oxygen, Acetylene And Welding Supplies	AOC Welding Supply PRIMARY Airgas Southwest SECONDARY
Bid 2007-38	Office Supplies	Patria Office Supplies*PRIMARY Executive Office Supplies*SECONDARY

*Purchases less than \$500 will be awarded to PATRIA. Purchases \$500+ will obtain price quote from primary and secondary source and will be awarded to lowest bidder.

Mr. Eloy Ramirez, Webb County Purchasing Agent, reviewed Annual Contracts for 2006-2007 list.

Cmr. Gutierrez motioned for the approval of item as submitted. Cmr. Cortez seconded motion.

Motion carried 4-0 with Cmr. Garza not out.

- Item No. 68. Discussion and possible action to approve the following proposals as recommended by the Scoring/Selection Committee:
P-2006-16 "Independent Auditor" Garza, Martinez & Company, LLP
P-2006-20 "Design/Build Proposal for Webb County Nutrition and Health Center" CG Construction

Comr. Gutierrez motioned for approval of item as submitted. Comr. Cortez seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 69. Discussion a Discussion and possible action to approve the leasing of one (1) digital copier from Office Communications Systems for 36 months in the amount of \$51.00 monthly for the Head Start Center-Floyd Kitchen.

Comr. Gutierrez motioned to approve item as submitted. Comr. Sciaraffa seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 70. Discussion a Discussion and possible action to approve the transfer of one (1) 1998 Nissan VIN number (JN1CA21D8WT504040) from the District Attorney's office to Constable Tino Juarez, Pct. 1.

Comr. Sciaraffa motioned to approve item as submitted. Comr. Cortez seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 71. Discussion a Discussion and possible action to authorize the Purchasing Agent to retain the services of Cabello Wrecker Service for storage and shredding of boxes in the amount of \$9,125.00 for the Webb County Annex cleaning project. ACCT. 001-0109-6022; BALANCE: \$157,834.57

Mr. Eloy Ramirez, Webb County Purchasing Agent, stated that he spoke to Ms. Margie Araiza and Ms. Rebecca Sepulveda from Historical Commission and Ms. Nelda Rodriguez from Records Management and requested that they go through

documents to look for archival and/or historical documents. He also stated that he would need to pay Cabello Wrecker for rent and occupation of trailers. He stated that he would also need to purchase some supplies totaling approximately \$900.00 from same account to purchase dollies, gloves, water and other items. He mentioned that this work will be done by volunteers.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded motion.

Motion carried 5-0 by unanimous consent.

Item No. 72. Discussion a Discussion and possible action to approve the additional repairs needed in the amount of \$60,316.00 from Southern Folger-Technical Services for the Webb County Sheriff's office. ACCT. 660-2001-8801; BALANCE: \$60,316.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded motion.

Motion carried 5-0 by unanimous consent.

Mr. Eloy Ramirez, Webb County Purchasing Agent, stated that the Sheriff had previously come before Court for approval of services to repair wiring for all doors. He mentioned that funds will be from Sheriff's account.

Item No. 73. Discussion and possible action authorizing Dept. 7001, Road & Bridge to fill the following slot: Slot 646 Payroll/Insurance Clerk

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded motion.

Motion carried 5-0 by unanimous consent.

**EXECUTIVE SESSION
(3:38 PM through 6:56 PM)**

Item No. 74. Discussion and possible action to amend the Webb County Personnel Policies manual to establish a category of employee known as "JJAEP Employees" that would modify the work schedule of such employees of

the Juvenile Justice Alternative Education Program to follow the academic calendar adopted by the Juvenile Board, and to make other changes including, but not limited to, the following:

the daily work schedule for JJAEP Employees would follow the academic calendar as adopted by the Juvenile Board;

these employees would be required to work school days and certain other days such as staff development days as set out in the academic calendar;

and

these employees would be granted a specified number of paid benefit days in lieu and instead of annual leave, sick leave, personal days, and holidays as granted to other County employees. and authorizing the County Judge to sign all relevant documents. [Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)].

Mr. Homero Ramirez, County Attorney, stated that in order to provide consistency with school schedules he recommended adoption of changes.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded to approve motion.

Motion carried 5-0 by unanimous consent.

- Item No. 75. Status report on the construction of a community park at Los Ovispos Sub Division with discussion and possible action to acquire property for the same within close proximity to Franklin D. Roosevelt High School, to direct staff to follow procedures as necessary for the accomplishment of such purchase, and any other matters incident thereto. [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (2) (Consultation with Attorney) and/or 551.072 (Deliberation regarding Real Property)] (Item Sponsored by Judge Louis H. Bruni Co-sponsored by Commissioner Frank Sciaraffa).

Mr. Homero Ramirez, County Attorney, stated that there was a status report only and he recommended to the Court either to table item or defer to next meeting.

Cmr. Gutierrez motioned to defer item to next meeting. Cmr. Sciaraffa seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 76. Report on the findings of a Water Utilities department audit [Executive session is required pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (consultation with attorney) and 551.074 (personnel matters)]

Mr. Homero Ramirez, County Attorney, recommended to table item or conclude report.

Judge Bruni motioned to table item. Cmr. Garza seconded motion.

Motion carried 5-0 by unanimous consent.

- Item No. 77. Discussion and possible action to grant Cerrito Gathering Company, Ltd. an easement for a "4 inch gas flow line" over the Webb County School Lands, 8,856.80 Acre Lease, Survey 1367, Abstract 417, C.&M.R.R. and Webb County School Land, Survey 1383, Abstract 503, situated in Webb County, and authorizing the County Judge to sign all relevant documents. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (2) (Consultation with Attorney) and/or 551.072 (Deliberation regarding Real Property)]

Mr. Homero Ramirez, County Attorney, recommended to table item or review.

Judge Bruni motioned to table item. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Addendum

Item No. 3 Discussion and possible action to finalize compensation issues concerning the delinquent tax attorney contract with the firm of Cavazos, Morales, Tijerina and Montemayor, L.L.P. and to authorize payment. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).]

Cmr. Gutierrez recommended that the County Auditor and County Attorney to get together and allow one week to come back to the Court with a decision. Mr. Leo Flores, County Auditor, stated that the auditors who work on this will be out till middle of next week, therefore, he requested more time. Judge Bruni stated that matter can wait till next regular meeting if need be.

Cmr. Gutierrez motioned to bring item back till next regular scheduled meeting. Cmr. Cortez seconded motion.

Motion carried 5-0 by unanimous consent.

Addendum
Item No. 4

Discussion and possible action to approve the contract with the firm of Cavazos & Morales, L.L.P. for delinquent tax collection services beginning June 13, 2006 and any matters incident thereto and authorizing the County Judge to sign all relevant documents.[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).]

Cmr. Gutierrez stated that if no final compensation issues were addressed, items will be needed to be brought back together.

Cmr. Gutierrez motioned to bring item back till next regular scheduled meeting. Cmr. Sciaraffa seconded motion.

Motion carried 5-0 by unanimous consent.

Item No. 78. Adjournment

Cmr. Gutierrez motioned to adjourn meeting. Cmr. Cortez seconded motion.

Motion carried 5-0 by unanimous consent.